

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Berstis

Serial No.: 09/863,909

Filed: May 23, 2001

For: Method and Apparatus for  
Automotive Radio Time Shifting  
Personalized to Multiple DriversRECEIVED  
CENTRAL FAX CENTER  
OCT 12 2004

§ Group Art Unit: 2685  
§ Examiner: Vuong, Quochien B.  
§ Attorney Docket No.: AUS919980916US2  
§

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**  
I hereby certify this correspondence is being transmitted via  
facsimile to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, facsimile number (703) 872-  
9306, on October 12, 2004.

By: Michele Morrow  
Michele Morrow

RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated July 9, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

**RECEIVED  
CENTRAL FAX CENTER**

**Yee &  
Associates, P.C.**

13760 Noel Road  
Suite 900  
Dallas, Texas 75240

OCT 12 2004

Main No. (972) 367-2001  
Facsimile (972) 367-2008

**Facsimile Cover Sheet**

To: Commissioner for Patents for Examiner Quochien B. Vuong Group Art Unit 2685	Facsimile No.: 703/872-9306
From: Michele Morrow Legal Assistant to Francis Lammes	No. of Pages Including Cover Sheet: 19
<p><b>Message:</b></p> <p>Enclosed herewith:</p> <ul style="list-style-type: none"> <li>• Transmittal Document; and</li> <li>• Response to Office Action.</li> </ul>	
<p><b>Re: Application No. 09/863,909</b> Attorney Docket No: AUS919980916US2</p>	
<p><b>Date: Tuesday, October 12, 2004</b></p>	
<p><b>Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b></p>	<p><i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i></p>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION  
BY FAXING A CONFIRMATION TO 972-367-2008.**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Berstis  
 Serial No.: 09/863,909  
 Filed: May 23, 2001  
 For: Method and Apparatus for  
 Automotive Radio Time Shifting  
 Personalized to Multiple Drivers

§ Group Art Unit: 2685  
 § Examiner: Vuong, Quochien B.  
 § Attorney Docket No.: AUS919980916US2  
 §

RECEIVED  
 CENTRAL FAX CENTER  
 OCT 12 2004

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**  
 I hereby certify this correspondence is being transmitted via  
 facsimile to the Commissioner for Patents, P.O. Box 1450,  
 Alexandria, VA 22313-1450, facsimile number (703) 872-9306  
 on October 12, 2004.

By:

Michele Morrow

35525  
 PATENT TRADEMARK OFFICE  
 CUSTOMER NUMBER

TRANSMITTAL DOCUMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

  
 Duke W. Yee  
 Registration No. 34,285  
 YEE & ASSOCIATES, P.C.  
 P.O. Box 802333  
 Dallas, Texas 75380  
 (972) 367-2001  
 ATTORNEY FOR APPLICANT